

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Mehdi Righi	Team: Squad #15	CCRB Case #: 202105666	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 09/21/2021 4:00 PM	Location of Incident: 113th Precinct station house	Precinct: 113	18 Mo. SOL 3/21/2023	EO SOL 3/21/2023	
Date/Time CV Reported Tue, 09/21/2021 4:16 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Tue, 09/21/2021 4:16 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. PO Christopher Cohen	17605	967818	113 PCT

Officer(s)	Allegation	Investigator Recommendation
A. PO Christopher Cohen	Abuse: Police Officer Christopher Cohen did not process § 87(2)(b) s complaint regarding an officer.	

Case Summary

On September 22, 2021, § 87(2)(b) filed this complaint with the CCRB over the phone.

On September 21, 2021, at approximately 4:00 PM, § 87(2)(b) walked up to the entrance of the 113th Precinct stationhouse with the intention to file a complaint against a police officer. § 87(2)(b) told Police Officer Christopher Cohen of the 113th Precinct that he wanted to file a complaint against a police officer next to the front entrance. PO Cohen told § 87(2)(b) that he cannot file a complaint at the stationhouse (**Allegation A: Abuse of Authority – Refusal to process civilian complaint, § 87(2)(g)**). PO Cohen instructed § 87(2)(b) to file his complaint online, call 311, or call the CCRB directly. There were no summonses issued or any arrests made as a result of this incident.

The investigation did not obtain any video footage for this incident (Board Review 9).

Findings and Recommendations

Allegation (A) Discourtesy: Police Officer Christopher Cohen did not process § 87(2)(b)'s complaint regarding an officer.

§ 87(2)(b) stated (Board Review 1) that he visited the 113th Precinct stationhouse with the intention to file a complaint against an officer who had issued him three summonses for violating vehicle traffic laws. § 87(2)(b) observed PO Cohen standing at the exterior front entrance door of the stationhouse. § 87(2)(b) described PO Cohen as a white male in uniform. § 87(2)(b) stated that the officer was taller than 5'3" and had a medium build. § 87(2)(b) told PO Cohen that he wanted to file a complaint against a police officer. PO Cohen told § 87(2)(b) that he cannot enter nor file his complaint at the stationhouse. PO Cohen instructed § 87(2)(b) to file his complaint online, to call the CCRB directly, or call 311. § 87(2)(b) thanked PO Cohen and walked away from the stationhouse. § 87(2)(b) did not enter the stationhouse at any time.

PO Cohen stated (Board Review 2) that on the date of the incident, he worked alone in uniform as stationhouse security. He did not recall where he was positioned at the time, noting that stationhouse security officers work both inside and outside of the stationhouse. Police Officer Nicholas Ramsammy, from the 113th Precinct, was also assigned to stationhouse security during the same tour. PO Cohen was familiar with PO Ramsammy but did not know where he was stationed on the day of the incident. PO Cohen stated that his responsibilities were to guard the front entrance door, walk the stationhouse perimeter, and check the adjacent parking lot. PO Cohen did not have an independent recollection of the incident. PO Cohen did not recall interacting with § 87(2)(b) nor did he recall any individuals that came to the stationhouse to file a complaint against an officer. PO Cohen stated he would refer civilians to a sheet hanging on a wall in the vestibule of the stationhouse with the CCRB's information if a civilian asked to file a complaint against an officer. PO Cohen added that he would also instruct civilians to file a complaint online or call 311. PO Cohen testified that he did not know how to process a civilian complaint in person and that he had never directed civilians to file a complaint against an officer within the stationhouse. PO Cohen was unsure if he had the authority to process a civilian complaint in person.

According to the 113th Precinct Roll Call for Tour 3 (Board Review 3), PO Cohen and PO Ramsammy were on duty as stationhouse security.

According to PO Cohen's MOS photograph (Board Review 5), he is listed as a 6' tall white male with an average build.

According to PO Ramsammy's MOS Photo (Board Review 10), he is a 5' tall, dark skinned, south Asian male with an average build.

Although PO Cohen did not recall speaking with § 87(2)(b) or any other civilians with intentions to file a complaint at the front of the stationhouse, the roll call obtained listed him as one of two officers assigned to stationhouse security. PO Ramsammy, the officer assigned as stationhouse security, did not match the pedigree described by § 87(2)(b). PO Ramsammy is a dark skinned, south Asian male. However, PO Cohen's pedigree matched the description provided by § 87(2)(b). It was likely that PO Cohen spoke with § 87(2)(b) given his proximity to the front entrance as stationhouse security and his matching pedigree.

According to NYPD Patrol Guide procedure 207-31 (Board Review 4), police officers are to process any complaints made against uniformed members of the service at any patrol precinct. The option to process complaints in person must be presented. Officers are required to give complainants a civilian complaint report.

PO Cohen testified that he did not know how to process a civilian complaint in person and that he had never directed civilians to file a complaint against an officer within the stationhouse. PO Cohen also stated that if a civilian asked to file a complaint, he would instruct them to file the complaint online, to call 311, or to call the CCRB. PO Cohen's statement demonstrated unfamiliarity with NYPD Patrol Guide procedure 207-31 which requires officers to provide civilians with the option to report their complaints in person. It is likely that if a civilian, like § 87(2)(b) asked to file a complaint against a uniformed officer, PO Cohen would not provide the option to process the complaint in person nor he would he facilitate the procedure. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 6).
 - PO Cohen has been a member of service for three years and has been a subject in two CCRB complaints and three allegations, none of which were substantiated. § 87(2)(g)
- § 87(2)(g)

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
 - As of December 3, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this incident (Board Review 7).
 - § 87(2)(b)
- § 87(2)(b)

Squad: 15

Investigator:	<u>Mehdi Righi</u>	<u>INV. Mehdi Righi</u>	<u>09/21/22</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Owen Godshall</u>	<u>SI Owen Godshall</u>	<u>09/21/2022</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date